

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

INA STEINER, DAVID STEINER,
and STEINER ASSOCIATES, LLC

Plaintiffs,

v.

EBAY, INC., et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Civil Action No. 1:21-cv-11181-PBS

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

Plaintiffs INA STEINER, DAVID STEINER, and STEINER ASSOCIATES, LLC (collectively, “Plaintiffs”), by and through their attorney, Todd Garber at Finkelstein, Blankinship Frei-Pearson & Garber, LLP, hereby respectfully request that this Court issue a Writ of Habeas Corpus Ad Testificandum to RRC City Faith in Little Rock, Arkansas for the purpose of securing JAMES BAUGH to testify in the trial before United States District Judge Patti B. Saris in the above-captioned case on January 5, 2026, at 8:30 a.m.¹ In support of this petition, Plaintiffs state that:

1. Mr. Baugh (Inmate Marshal No. 26302-111) is presently confined at RRC City Faith, 1401 South Garfield drive, Little Rock, Arkansas 72204. RRC City Faith is a halfway house, or Residential Reentry Center, where Mr. Baugh can move around freely without an escort.

2. The Federal Bureau of Prisons (BOP) indicates that Mr. Baugh’s release date is

¹ Pursuant to Local Rule 7.1, Plaintiffs conferred with counsel for Defendants eBay Inc., Devin Wenig, Steve Wymer, and Wendy Jones in advance of filing this petition. While Ms. Jones intends to separately file a motion in limine seeking to exclude Baugh from testifying, none of the Defendants expressed an objection to the Court’s issuance of a writ of habeas corpus ad testificandum as a procedural mechanism to facilitate Baugh’s attendance at trial should he be permitted to testify.

January 25, 2026.

3. Plaintiffs will call Mr. Baugh as a witness in the trial of the above-captioned case. Mr. Baugh has agreed to testify and will travel to Court to do so if he is released by the trial date.

4. Mr. Baugh is a material witness in this case whose testimony bears directly on Defendants' knowledge, intent, and role in the harassment campaign against Plaintiffs.

5. The Court has authority under 28 U.S.C. § 2241(c)(5) to mandate Mr. Baugh's presence at trial if he remains in custody, regardless of whether he is dismissed as a defendant in this case. *See, e.g., Atkins v. City of N.Y.*, 856 F. Supp. 755, 756, 759 (E.D.N.Y. 1994) (granting a motion to issue a writ of habeas corpus ad testificandum for a non-party); *see also* Hr'g Tr. 111:19-24, Mar. 10, 2025 ("THE COURT: I understand that. But if I give permission, he can travel here. We've habed in people before, granted, usually in a criminal case. I mean, I have the authority to bring him here, but he's got to be willing to testify.").

6. Plaintiffs request that Mr. Baugh be made available beginning January 2, 2026, and continuing through the completion of his testimony. Plaintiffs will need time to be able to meet with Mr. Baugh as early as January 2, 2026, in order to prepare for his trial testimony.

7. Plaintiffs agree to pay all associated costs, including travel costs. This will be at no cost to the government. Plaintiffs respectfully request that, if possible, Mr. Baugh be transported without being in custody, particularly because he is permitted to move freely within the facility without an escort.

WHEREFORE, Plaintiffs request that this Court issue a Writ of Habeas Corpus Ad Testificandum to be directed to the United States Marshal for the District of Massachusetts, to the Warden at RRC City Faith, and to any other person having custody and control of Mr. Baugh, mandating them to produce Mr. Baugh before United States District Judge Patti B. Saris at the

United States District Court for the District of Massachusetts, 1 Courthouse Way, Courtroom 19 (7th Floor), Boston, Massachusetts 02210, on January 2, 2026, through the end of his testimony.

Dated: November 4, 2025
White Plains, New York

Respectfully submitted,

By: /s/ Todd Garber
Todd Garber
**FINKELSTEIN, BLANKINSHIP,
FREI-PEARSON & GARBER, LLP**
One North Broadway, Suite 900
White Plains, New York 10601
Tel: (914) 298-3281
Fax: (914) 824-1561
tgarber@fbfglaw.com

Attorneys for Plaintiffs

CC: All Counsel of Records via ECF

CERTIFICATE OF SERVICE

I, hereby certify that I served a copy of the foregoing Petition For Writ Of Habeas Corpus
Ad Testificandum to all counsel of record, via ECF, on November 4, 2025 .

/s/ Todd Garber
Todd Garber